

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 1-92 are pending in the application, with claims 1, 23, 43, 65, and 87-90 being the independent claims. Claims 87-92 are newly presented. Claims 1, 3-11, 19-23, 25-28, 38-41, 43, 45-53, 61-65, 67-75, and 83-86 have been amended. Support for the amendments to the claims may be found in the original specification, for example, in paragraphs [0008], [0025], [0030], and [0031]. No new matter has been added.

Information Disclosure Statement

The information disclosure statement (IDS) filed on December 27, 2004 was deemed non-compliant for not including a copy of a cited foreign reference. In that IDS, Applicants cited (together with U.S. patent documents) a total of nine documents that were not U.S. patent documents. Specifically, eight non-patent literature documents and one foreign patent document, WO 03/017229, were cited. Applicants provided copies of these nine documents with the IDS, as evidenced by the enclosed copy of the postcard that was filed with the IDS and which was date-stamped by the Patent Office to indicate receipt of the documents listed on the postcard.

Applicants submit that a copy of WO 03/017229 was provided with the IDS of December 27, 2004 and that the IDS fully complies with 37 CFR § 1.98(a)(2). Nevertheless, Applicants provide herewith another copy of WO 03/017229 and respectfully request that the Examiner consider the reference and indicate in the next written communication from the Patent Office that the reference has been considered. A PTO/SB/08a/b form listing the reference is included for the Examiner's convenience.

Rejection under 35 U.S.C. §101

Claims 1-25, 27, 30-41, 43-66, 72, 73, and 75-86 have been rejected as being directed to non-statutory subject matter. This rejection is traversed. Applicants submit that language instruction is statutory subject matter. Nevertheless, Applicants have amended independent claim 1 to clarify that according to the recited computer-implemented method of language

instruction, a language immersion environment for language instruction is provided. The computer program product according to independent claim 43, which comprises a computer usable medium having computer program logic recorded thereon for instructing a computer system, similarly causes a language immersion environment for language instruction to be provided. As discussed in the present application, language immersion can improve the teaching and learning of foreign languages. Applicants submit that claims 1 and 43 produce useful, concrete, and tangible results and recite statutory subject matter under 35 U.S.C. §101.

Independent system claim 23 has been amended to recite that the description presentation apparatus comprises a display screen. Similarly, independent system claim 65 has been amended to recite “multimedia presentation means” for presenting a first text or audio description and “multimedia presentation means” for presenting a second text or audio description. Without conceding that the §101 rejection is proper, Applicants submit that the amendments to claims 23 and 65 fully address the Examiner’s concern that the claims should not recite a mere arrangement of printed matter.

Reconsideration and withdrawal of the rejection of the claims under §101 are respectfully requested.

Rejection under 35 U.S.C. §112, first paragraph

Claims 23-63 have been rejected as not complying with the enablement requirement under 35 U.S.C. §112, first paragraph. Without conceding the propriety of this rejection, Applicants have amended independent claim 23 to recite that the description presentation apparatus comprises a display screen. Applicants submit that this amendment to claim 23 is responsive to and should remove the Examiner’s concern regarding undue breadth. Applicants submit that claim 23 and its dependent claims thus meet the enablement requirement.

The Examiner has characterized claims 24-63 as being “dependent claims” that do not “add structural elements” to claim 23. Applicants note that claim 43, an independent claim, is a claim to a computer program product comprising a computer usable medium having computer program logic recorded on it for instructing a computer system. Applicants submit that the rejection of claim 43 and its dependent claims under §112, first paragraph is not proper, as the structural elements of these claims are clearly stated.

Reconsideration and withdrawal of the §112 rejection of claims 23-63 are requested.

Rejection under 35 U.S.C. §102

Claims 1-12, 23, 24, 29, 31, 43-54, and 65-76 have been rejected as being anticipated by U.S. Patent No. 5,810,599 (“the Bishop patent”). This rejection is traversed.

The Bishop patent employs conventional language teaching methods such as the use of translation into a student’s native language. In one embodiment, as shown in FIG. 8 of the Bishop patent, an audio-visual work is displayed in a window 112 using screen 110. The screen 110 includes a window 126 that displays a transcription 132 of the audio portion of the audio-visual work for user consideration. The screen 110 also includes a window 128 that displays a translation 134 of the audio portion of the audio-visual work for user consideration.

The Bishop patent discloses a conventional language learning program. Disadvantages of such programs include the one discussed in paragraph [0023] of the present application. That is, in many conventional language learning programs, a single foreign language text description is presented to the user and is associated with a particular event that is visually displayed. Because only a single foreign language description of the event is presented, if the user does not understand some of the words in that description, he or she must resort to the translation of that text description in the user’s native language. This reliance on the translation takes the user out of the immersion context, and the user loses advantages associated with the immersion technique.

The Examiner has interpreted the audio-visual work of the Bishop patent to be “a first description of an event responsive to a first perspective” and the transcript of the Bishop patent to be “a second description of an event responsive to a second perspective.” Applicants respectfully disagree with this interpretation but in order to expedite prosecution have amended independent claims 1, 23, 43, and 65 to include the language “first *text or audio* description of an event responsive to a first perspective” and “second *text or audio* description of the event responsive to a second perspective.” Applicants submit that the audio-visual work of the Bishop patent cannot be interpreted as “a first *text or audio* description of an event responsive to a first perspective,” and that independent claims 1, 23, 43, and 65 are thus patentable over the Bishop patent. As described in paragraph [0031] of the present application, a “visual” representation of

an event can include motion video footage or a still image of an object. Through recitation of “text or audio” description, the present claims do not encompass visual images as the first or second descriptions of an event responsive to a first or second perspective. Applicants thus submit that the §102 rejection over the Bishop patent cannot properly be maintained.

Newly presented independent claims 87-90 each recite that a first description of an event and a second description of the event are in a common language, and neither one of the first description and the second description is a script of the other of the first description and the second description. Support for the word “script” may be found, for example, in paragraph [0008] of the present application. Even under the Examiner’s interpretation that the audio-visual work of the Bishop patent is one “description” and that the transcript of the Bishop patent is another “description,” the Bishop patent does not teach or suggest the presently claimed “first description” and “second description,” as neither one of the first and second description according to the present claims can be a script of the other description. Applicants submit that the new independent claims are also patentable over the Bishop patent.

The dependent claims are submitted to be patentable for the same reasons that the base claims from which they depend are patentable, and further due to additional features that they recite.

In view of the above, the present application is in condition for allowance. Applicants request favorable consideration and early passage to issue of the application.

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Respectfully submitted,

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Title: SYSTEM AND METHOD FOR LANGUAGE INSTRUCTION

Documents Filed:

Transmittal Letter (in duplicate);
Information Disclosure Statement;
Form PTO/SB/08a/b;
Nine cited documents; and
Return receipt postcard.



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